

WEDNESDAY, JANUARY 31, 2024

10:45 A.M.

ACTING SPEAKER AUBRY: The House will come to order.

In the absence of clergy, let us pause for a moment of silence.

(Whereupon, a moment of silence was observed.)

Visitors are invited to join the members in the Pledge of Allegiance.

(Whereupon, Acting Speaker Aubry led visitors and members in the Pledge of Allegiance.)

A quorum being present, the Clerk will read the Journal of Tuesday, January 30th.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to

dispense with the further reading of the Journal of Tuesday, January the 30th and that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, sir.

Colleagues and guests that are in our Chambers, a lot different than yesterday, right? There's a quote I'd like to share from Dr. Martin Luther King. This one says, *There comes a time when one must take a position that is neither safe, nor politic, nor popular, but he must take it because his conscience tells him it's right.* Again, these words from the Reverend Dr. Martin Luther King.

Members have on their desk an A-Calendar. After you have done any introductions and/or housekeeping, we're going to take up resolutions on Page 3. Our principal work for today, Mr. Speaker and colleagues, will be Chapter Amendments, they will be on debate. We're going to start with Calendar No. 220 by Ms. Pheffer Amato; followed by Calendar No. 235 by Mr. Magnarelli; and Calendar No. 273 by Mr. Magnarelli, as well. Then we're going to go back to consent from the main Calendar where we left off, beginning with Calendar No. 72, it's on Page 13. There may be a need for additional floor activity today, Mr. Speaker. If so, I will announce at the right moment; however, to be clear, Majority members we will be immediately going into a conference when we conclude our work on the floor today. And so far, Mr. Goodell has not suggested that they

may need to have the same.

So that's a general outline where we are, Mr. Speaker. If you have any introductions or housekeeping, you should feel free to do so now.

ACTING SPEAKER AUBRY: We will go immediately to the resolutions on page 3.

Assembly No. 819, the Clerk will read.

THE CLERK: Assembly Resolution No. 819, Ms. Jean-Pierre.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim January 2024, as Cervical Cancer Awareness Month in the State of New York.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye; opposed, no. The resolution is adopted.

THE CLERK: Assembly Resolution No. 820, Mr. Cunningham.

Legislative Resolution memorializing Governor Kathy Hochul to proclaim January 2024, as CBD Month in the State of New York.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye; opposed, no. The resolution is adopted.

Page 35, Calendar No. 220, the Clerk will read.

THE CLERK: Assembly No. A08513, Calendar No.

220, Pheffer Amato. An act to amend the Civil Service Law, in relation to requirements for issuing civil service examination announcements.

ACTING SPEAKER AUBRY: On a motion by Ms. Pheffer Amato, the Senate bill is before the House. The Senate bill is advanced. And, Ms. Pheffer Amato, an explanation has been requested.

MS. PHEFFER AMATO: Good morning. This bill will implement the Chapter Amendment to Chapter 358 of 2023, relating to the issuance of Civil Service Exam announcements. This Chapter Amendment provides that the Department of Civil Service and Municipal Civil Service Commission shall provide notice to competitive examinations of public entities, and allow such public entities to receive electronic notifications.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. Would the sponsor yield for some questions?

ACTING SPEAKER AUBRY: Ms. Pheffer Amato?

MS. PHEFFER AMATO: Yes.

ACTING SPEAKER AUBRY: Ms. Pheffer Amato yields, sir.

MR. GOODELL: Thank you. Last year the original bill that you sponsored passed this House unanimously, congratulations.

MS. PHEFFER AMATO: Thank you.

MR. GOODELL: Strong bipartisan support. And that required notice of job openings and Civil Service opportunities to be provided to all colleges and universities, all school districts, and all both private and public educational institutions. The Chapter Amendment, if I understand correctly, now only requires those notices go to public school districts, public colleges, public universities. Why are we amending the law to exclude a requirement that these notices also be sent to private entities?

MS. PHEFFER AMATO: The intent was always for the public colleges, it was not for the private colleges, so we just adjusted it to that statement.

MR. GOODELL: But as a matter of public policy, doesn't the State of New York want to recruit the very best people they can, whether they go to a public college or a private college?

MS. PHEFFER AMATO: Nothing stops in this bill from preventing to go to the non-public colleges. So they can reach out or we can work with them, but the language was meant for the public colleges to push throughout that -- those venues.

MR. GOODELL: So as a matter of public policy, though, shouldn't the State be recruiting the best qualified candidates including those from private colleges?

MS. PHEFFER AMATO: Well, as a public university graduate, I think we did get some of the best, but I hear what you're saying. I think it's open to all. These notices are -- Civil Service Exams are open to everyone, it's just we're looking at the

public colleges to give more access in those places where probably was not getting as public -- as the private colleges have.

MR. GOODELL: I see. Now, this bill of course doesn't change the requirements for Civil Service, right, you would still have to meet whatever educational or experience requirements that are required for the position that is posted then as a Civil Service job listing?

MS. PHEFFER AMATO: Nothing changes. Our goal was to have more ability to expose that working in public service is a great opportunity.

MR. GOODELL: Could you address how this notice requirement that seeks to attract the best and the brightest from public colleges and universities in New York is consistent with the Governor's most recent memorandum in Civil Service saying they're waiving minimum educational requirements and waiving minimum experience requirements if you're here as an asylum seeker or an undocumented immigrant. Aren't those two positions diametrically opposed? On one hand, we're saying if you're a New York resident graduating from a New York college or university, you have to meet these minimum standards and we want them, and then on the other hand, if you came here illegally or without documentation you don't have to meet them? How are those two concepts consistent, or is it just one of those facts of (inaudible) that sometimes you go in opposite directions at the same time?

MS. PHEFFER AMATO: That has nothing to do

with this amendment.

MR. GOODELL: Thank you very much. I appreciate your comments.

On the bill, sir.

ACTING SPEAKER AUBRY: On the bill, Mr. Goodell.

MR. GOODELL: As I mentioned, this House unanimously supported the sponsor's original legislation and I commend her for that and it was a great idea. The concept of the original legislation is we'll send out Civil Service notices of vacancies to all the colleges and universities and public and private schools in New York State so that we, as a State, can do our very best to recruit the best and brightest. That's a great idea.

Now, the Chapter Amendment is required by the Governor, and we all know that. The Chapter Amendment wasn't something the bill sponsor said, hey, I like this, this is a great idea, let's -- let's narrow the scope of our original bill. Let's no longer send notices of vacancies to any of the private colleges or universities in New York State. That's just simply bad public policy. We want to recruit the best and brightest whether they come through our great public school system, public colleges or whether they come through our private schools and our private colleges, and we have a number of great colleges that are private in New York State and we want to make sure those students have the opportunity and know about Civil Service exams so that the taxpayers know they're getting the best and the

brightest when it comes to our recruitment efforts in the State of New York. For that reason, I will oppose this bill. Although as I mentioned, I very much appreciate the sponsor's original bill, which is much better than the bill being forced upon us through a Chapter Amendment from the Governor's Office. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: A party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. As a reflection of our support of the original legislation as opposed to the amendment, the Republican Conference will generally be opposed to the amendment on this bill. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. The Majority Conference is going to be in favor of this piece of legislation. However, there may be some who desire to be an exception, they should feel free to do so at their seats.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker, for allowing me this brief opportunity to introduce a guest that's in the Chambers. She is a guest of our colleague, Member Reyes. Her name is Dawn Rowe. Dawn is the CEO of Girls Vow. Girls Vow is an organization that works to find and help relocate missing girls of color. You know there's always been a disparity when sometimes young women of color are not found as expedient as they could be, and Ms. Rowe's work is to make sure that that moves further, faster, and quicker in identifying where these young ladies are and getting them back home. We really want to honor her work that she's done around these issues. Mr. Speaker, so if you could please welcome her to our floor and give her the cordialities of the House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mrs. Peoples-Stokes, Ms. Reyes, the Speaker and all the members, we welcome you here to the New York State Assembly, extend to you the privileges of the floor. Our congratulations and our thanks for the work that you're doing to ensure that when young women are missing, equally they are found, they are devoted the same amount of attention as anyone else. Please know that we will always be behind you. Thank you so very much.

(Applause)

Page 36, Calendar No. 235, the Clerk will read.

THE CLERK: Assembly No. A08490, Calendar No. 235, Magnarelli, Cunningham. An act to amend the Vehicle and Traffic Law, in relation to the display of green lights on the vehicles of members of mobile crisis teams.

ACTING SPEAKER AUBRY: On a motion by Mr. Magnarelli, the Senate bill is before the House. The Senate bill is advanced.

Mr. Magnarelli, a explanation has been requested.

MR. MAGNARELLI: Thank you, Mr. Speaker. Let me just get my act together here just for a second. This one's green light - I got the wrong bill. Huh. Here we go. Very simple explanation. All right. Okay. This bill is a Chapter Amendment to Chapter 686 of the Laws of 2023 relating to the -- okay. I got to get myself on the right bill, excuse me.

ACTING SPEAKER AUBRY: Okay.

MR. MAGNARELLI: Okay. Relating to the use of green lights by mobile crisis teams. The bill would change the entity authorizing mobile crisis team members to use the green courtesy light from the State Office of Mental Health or Office of Addiction Services and Supports to a mobile team's director or person in a similar role.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: Thank you, sir. Would the sponsor yield?

ACTING SPEAKER AUBRY: Mr. Magnarelli, will

you yield?

MR. MAGNARELLI: Yes, I will.

ACTING SPEAKER AUBRY: Mr. Magnarelli yields, sir.

MR. GOODELL: Thank you, Mr. Magnarelli. I should tell you that I can appreciate the challenges sometimes of being on the right bill, and I have a full-time staff person who's assigned just for that purpose. And even then --

MR. MAGNARELLI: You have many more to go over than I do and I still fouled it up. How can that happen, huh?

MR. GOODELL: But even with a full-time staff person, once in a while I discover that the Speaker's called up the wrong bill.

(Laughter)

ACTING SPEAKER AUBRY: It's always my fault.

(Laughter)

MR. GOODELL: So, as I understand it from your explanation, the original bill-in-chief would authorize the Office of Mental Health -- the State Office of Mental Health, or the State Office of Addiction Services and Support to authorize a green light for a mobile crisis team. And this bill removes that approval process that involves the State agencies and instead says that the local mobile crisis team director could authorize green lights on cars, correct?

MR. MAGNARELLI: Correct.

MR. GOODELL: Why do we want to move the

authority from the State agencies that are charged with the responsibility of running those programs to a local crisis team director?

MR. MAGNARELLI: I believe it's just easier to manage and less burdensome to make sure that the people that need or -- need to have these lights get to the crisis that they're going to will be able to do so. And that the people who are managing them will make those decisions.

MR. GOODELL: I see.

MR. MAGNARELLI: If they -- you know, if they don't do it in a proper way it'll be revoked.

MR. GOODELL: And this -- that's the only change in this?

MR. MAGNARELLI: That's the only change.

MR. GOODELL: Thank you, Mr. Magnarelli.

MR. MAGNARELLI: Thank you, sir.

MR. GOODELL: On the bill, sir.

ACTING SPEAKER AUBRY: On the bill Mr. Goodell.

MR. GOODELL: Last year we had a significant number of no votes because of a concern over the proliferation of green lights. Under prior law, green lights were only allowed on volunteer ambulances, and there was a great concern that if more and more people started using green lights, the impact in terms of the public's reaction when they see a green light will be dissipated. So

prior to the bill-in-chief, you saw a green light, you know it was a volunteer ambulance, you responded appropriately. And as more and more green lights start appearing on the road, it becomes less and impactful and, as a result, many of the volunteer firemen were very opposed to this legislation.

The Chapter Amendment takes the original legislation and essentially expands it by saying instead of being under State supervision and going through that review, the local mobile home -- mobile crisis director could issue authorization for green lights with really no statutory guidance at all, and it takes a problem that was identified last year and makes it, in my opinion, more likely to occur and worse.

And so for those reasons, I will be opposing it and recommend my colleagues do the same. Thank you, sir. And again, thank you to Mr. Magnarelli for his explanation.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 180th day.

ACTING SPEAKER AUBRY: A party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed, as we were last year, but if those members here would like to support this, I certainly encourage them to vote yes at their seat. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. The Majority Conference is generally going to be in favor of this piece of legislation. However, there could be a few that would desire to be an exception, they should feel free to do so at their seats.

ACTING SPEAKER AUBRY: Thank you.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Page 37, Calender No. 273, the Clerk will read.

THE CLERK: Assembly No. A08491, Calendar No. 273, Magnarelli, Lupardo. An act to amend the Railroad Law, in relation to requiring certain trains and locomotives to have a crew size of not less than two persons.

ACTING SPEAKER AUBRY: An explanation is requested, Mr. Magnarelli.

MR. MAGNARELLI: Thank you. And I think I have the right bill this time.

This bill is a Chapter Amendment to Chapter 707 of the Laws of 2023, which requires a minimum two-person crew to be on board freight trains or freight locomotives operated by railroad carriers with more than \$20 million in annual operating revenue. The

bill clarifies that a train must be moving hazardous material for the crew requirement to apply.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: Thank you, sir. Would the sponsor yield?

ACTING SPEAKER AUBRY: Mr. Magnarelli, will you yield?

MR. MAGNARELLI: Yes.

ACTING SPEAKER AUBRY: Mr. Magnarelli yields.

MR. GOODELL: Thank you, Mr. Magnarelli. The bill-in-chief last year required a two-man crew on all of these trains as you defined them, regardless of the cargo, correct?

MR. MAGNARELLI: Well, they must be transporting hazardous material.

MR. GOODELL: And that's the Chapter Amendment?

MR. MAGNARELLI: That's the Chapter Amendment.

MR. GOODELL: So the Chapter Amendment took the bill last year, which applied to all trains, and reduced it to only those trains that are transporting hazardous material.

MR. MAGNARELLI: Correct.

MR. GOODELL: And what percent of trains transport hazardous material?

MR. MAGNARELLI: I would think just about all of them.

MR. GOODELL: I would think so, too. Was -- I see the definition of "hazardous material" references Federal regulations, correct?

MR. MAGNARELLI: Yes.

MR. GOODELL: And so does that mean, then, that if the United States Secretary of Transportation amends the regulation, it automatically in effect amends New York State law, or amends the scope of the New York State law?

MR. MAGNARELLI: Well, I think there are - this is where the cases come in - I think those regulations have been challenged in court and, as you know, we have one court going one way and another court going another way, so the Federal question is still a question.

MR. GOODELL: But -- I appreciate that, but the definition of hazardous waste in this bill is based on regulations issued by the U.S. Department of Transportation, correct?

MR. MAGNARELLI: So if they change the definition for hazardous waste, is that -- hazardous material, that's what you're talking about? Yes, it would change it.

MR. GOODELL: So the scope of a law adopted by this Legislature depends on actions of an unelected bureaucrat in Albany -- or in Washington, D.C.? But isn't -- doesn't the New York State Constitution say that only this Legislature can make laws, not --

we don't have the authority, do we, to delegate lawmaking authority through a bureaucrat in Washington, D.C., do we?

MR. MAGNARELLI: I don't believe we're delegating anything. The regulation is there. It's in existence now and that's what we're alluding to. If it changes, we, of course, can come back and do whatever we want.

MR. GOODELL: And does this statutory language that you're proposing say as it exists currently?

MR. MAGNARELLI: I think it just says -- it just recites it. It just recites the regulation.

MR. GOODELL: And so is it your intent that if this is amended, this Legislature has to come back into Session and readopt this section?

MR. MAGNARELLI: Doesn't have to, but it could.

MR. GOODELL: I see. I mean, my first Constitutional concern is I think we cannot constitutionally delegate lawmaking authority to a different governmental entity, or even the bureaucrats, which this legislation does because if they change the definition of hazardous waste it'll either make this law broader or narrower without our vote. But the second concern I have is in Article III -- sorry, Article III, Section 16 of the New York State Constitution which states, No act shall be passed which shall provide that any existing law, or any part thereof, shall be made or deemed to be made part of the act, or which shall enact that any existing law, or part thereof, shall be applicable, except by inserting it in the act. In other

words, our State Constitution prohibits incorporation by reference. And the reason we prohibit incorporation by reference, there's a couple of great reasons. First of all, many of the members here in this Chamber might not be really knowledgeable over what some other incorporated statute states, or in this case, a Federal regulation. Because although we have a great database here at our desks, that database does not include Federal regulations, which means that no one here on the floor of this Assembly can use our existing database provided by the Assembly to even look up what this bill means. But the second reason is because when you incorporate by reference, a change in the reference law changes the meaning and scope of the original law. How do we get around the constitutional prohibition on incorporation by reference?

MR. MAGNARELLI: Well, I just disagree with you. I don't believe that's what we're doing. I think it's very specific. It's pointing to a specific part of the U.S. Code, and what they're doing is just stating what -- not trying to define what hazardous substances are, it's material designated as hazardous. So to me it's very specific and if that list was increased because there are new things that come up, so be it. And if there's something that we wanted to change because we didn't feel that that was appropriate, we could do that. But right now in passing this bill, you know exactly what's being done.

MR. GOODELL: Now, I see that the Federal Railroad Administration initiated the proposed rulemaking dealing specifically with this subject, and they initiated that proposed

rulemaking in July of 2022. And according to the very recent posting by the Office of Management and Budget, they anticipate the final rule by the Federal Railroad Administration dealing with this subject is anticipated in March of this year, in two months. Shouldn't we simply wait two months and see what the Federal Railroad Administration is proposing before we take action?

MR. MAGNARELLI: Well, my answer to that is no, but I'll be looking for it.

MR. GOODELL: Along those lines, isn't that clear that the Federal Railroad Administration has the ability to preempt State Law on this subject, on railroad subjects?

MR. MAGNARELLI: Yes, it does.

MR. GOODELL: So we're asked to amend the law and pass a Chapter Amendment today knowing that in two months new rules will come out from the Federal Railroad Administration and they may preempt what we're doing today and make what we're doing today irrelevant.

MR. MAGNARELLI: Correct.

MR. GOODELL: Thank you, Mr. Magnarelli. As always, I appreciate your time.

Sir, on the bill.

ACTING SPEAKER AUBRY: On the bill, Mr. Goodell.

MR. GOODELL: Over the years, the railroad industry has worked very hard to improve the efficiency of our

railroads. And in that connection, all of our large railroad locomotives have what's known as a dead-man switch, meaning if for any reason the engineer loses consciousness or -- or has a problem and lets go of the control, the train automatically stops. These movies about runaway trains are for movies and not reality.

In addition, since 2020, the Federal Railroad Commission has required that all trains and all train lines have what are known as positive train control. And positive train control automatically reduces the speed of the locomotive or stops the locomotive when approaching curves or trains that may be stopped on the track or other hazards. And so, the danger of an engineer losing consciousness or not paying attention have been addressed and addressed very effectively with technology.

So what this bill does is requires that every train going through New York State with hazardous material, which the sponsor I think correctly identified as virtually every train, has to have twice as many crew members, which means we'd increase -- we double the cost of engineers to the railroads, which means all of our consumers will pay more. And I suspect that the sponsor is right about his characterization that all trains likely carry hazardous material because as suspected diesel itself is probably considered a hazardous material, and each locomotive carries up to 5,000 gallons of diesel. So you see a train going by with three locomotives, it could have 15,000 gallons of diesel fuel.

Now, my residents are all saying, hey, what are you

doing to reduce our costs? And what we're doing here is adding to their cost one little slice at a time, 250 for this registration, new filing fees for this, double cost for the train crew. And we do it knowing that the Federal Government is going to issue rules on this issue and if they can preempt anything we do and they can either require a two-person train crew or prohibit it. So it seems to me that before we double the costs of operating a train from a labor management perspective, even though all these safety features are now incorporated in every train and have been since 2020, maybe we should step back, recognize the expertise of the Federal Railroad Commission that does this work as experts instead of passing this legislation.

Now, I note the original bill had 27 no votes - I'm just checking to make sure - 28 no votes. This Chapter Amendment makes virtually no significant changes, and so I will not be supporting it. Thank you, sir.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 30th day.

ACTING SPEAKER AUBRY: A party vote has been requested.

Mr. Goodell.

MR. GOODELL: Thank you, sir. The Republican Conference is generally opposed. Some colleagues may support this and, if so, they should vote yes on the floor. Thank you, sir.

ACTING SPEAKER AUBRY: Thank you.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. Member -- many of our Majority Conference have these freight trains that ride through their neighborhoods on a regular basis, we'd like to take the safety approach and support this piece of legislation the entire Conference. However, there could be a few people who want to be an exception, please feel free to do so.

ACTING SPEAKER AUBRY: Thank you, Mrs. Peoples-Stokes.

The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

We will go to Page 13, Calendar No. 72 on consent.

The Clerk will read.

THE CLERK: Assembly No. A02479, Calendar No. 72, Hevesi, Epstein, Simon, McDonough, Clark, Alvarez, Jackson, Raga, Seawright, Gibbs. An act to amend the Social Services Law, in relation to the administration of the statewide central register of child abuse and maltreatment.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: One minute. Hold on.

Mr. Goodell.

MR. GOODELL: I apologize, sir. Lay this bill aside, please.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02500, Calendar No. 73, Paulin, Seawright, Epstein, Dinowitz, Hevesi, González-Rojas, Jacobson, Davila, Simon, Steck, Lee, Weprin, Kelles, Ardila, Bores, L. Rosenthal. An act to amend the Criminal Procedure Law, in relation to the former crime of loitering for purpose of engaging in a prostitution offense and expunging criminal records for persons previously convicted of such crime.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02546, Calendar No. 74, Colton, Rivera, Cruz, Aubry, DeStefano, Dickens, Hyndman, Williams, Taylor, Jacobson, Seawright, Bendett. An act to amend the Vehicle and Traffic Law, in relation to parking infractions.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02570-A, Calendar No. 75, Colton, L. Rosenthal, Walker, Cook, Seawright, Dickens, Taylor, Glick, Williams, Rivera, Darling. An act to amend the Public Authorities Law, in relation to providing notification to customers of bed bug infestations on MTA subways, trains and buses.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02677-A, Calendar No. 76, Rozic, Barrett, Bronson, Fahy, Hunter, Lupardo, Magnarelli,

Otis, Santabarbara, Seawright, Simon, Steck, Stirpe, Zebrowski, Wallace, Dickens, Vanel, Pheffer Amato, Lavine, Jean-Pierre, Kim, Bichotte Hermelyn, Davila, Colton, L. Rosenthal, Williams, Carroll, Epstein, Dinowitz, Paulin, Jones, Weprin, Peoples-Stokes, McMahon, Friend, Reyes, Cruz, McDonough, Brabenec, Palmesano, Ra, Walsh, Jacobson, Shimsky. An act to amend the Transportation Law, in relation to a State transportation plan.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A02741, Calendar No. 78, Paulin, Septimo, Magnarelli, Gunther, Jacobson, McDonough, DeStefano, Durso, K. Brown, Dickens. An act to amend the Insurance Law, in relation to summaries of readable and understandable insurance policies.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02794, Calendar No. 79, Paulin, Seawright, Bichotte Hermelyn, Sayegh, Simon. An act to amend the Public Health Law, in relation to requiring the Department of Health to develop and maternal health care providers to distribute

written information about episiotomy to maternity patients.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 180th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A02866, Calendar No. 81, Pheffer Amato, Jones, Wallace, Benedetto, Zinerman, Cruz, Weprin, Otis, Sillitti. An act to amend the Insurance Law, in relation to homeowners insurance deductibles triggers.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02882, Calendar No. 82, Dinowitz, Tapia, Weprin, Kelles, Forrest, Raga, Epstein. An act to amend the Penal Law, in relation to warnings to be posted and provided by firearms dealers.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02883, Calendar No. 83, Epstein, Santabarbara, Jacobson, Hunter, Simon, L. Rosenthal, Seawright, Magnarelli, Glick, Cook, Reyes, Mitaynes, Cunningham. An act to amend the Civil Practice Law and Rules, in relation to requiring a certificate of merit in proceedings to recover possession of

real property.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A02898-A, Calendar No. 84, Carroll, Epstein, Shimsky, González-Rojas, McDonald, Dinowitz, Gallagher, Seawright, Jean-Pierre, Thiele, Cunningham, Woerner, K. Brown, Forrest, Simon, Weprin, Magnarelli, Ardila, McMahon, Hevesi. An act to amend the Insurance Law, in relation to requiring certain insurance policies to cover neuropsychological exams for dyslexia.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect January 1st.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A03102, Calendar No. 85, Magnarelli, Santabarbara, Paulin, Fahy, Shimsky, Darling, Thiele, Kelles, Gunther, Levenberg, Sillitti. An act to amend the Vehicle and Traffic Law, in relation to prohibiting the registration of certain stretch limousines.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03177, Calendar No. 87, O'Donnell, Jackson. An act to amend the Criminal Procedure

Law, in relation to grand jury proceedings.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03231, Calendar No. 89, Epstein. An act to amend the Alcoholic Beverage Control Law, in relation to making the provisions governing the various on-premises liquor licenses consistent with respect to public interest factors that may be considered by the State Liquor Authority when evaluating the merits of a licensee application.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03241, Calendar No. 90, Paulin, Gunther, L. Rosenthal, Woerner, Fahy, Taylor, Carroll, Jacobson, Simon, Seawright, Sayegh, Burdick, Jean-Pierre, González-Rojas, Forrest, Weprin, Levenberg, Bichotte Hermelyn. An act to amend the Public Health Law and the Insurance Law, in relation to premium reduction for obstetric practitioners who complete a risk management strategies course.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03412-B, Calendar No. 92, Epstein, Simon, Burdick, Seawright, Kelles, González-Rojas, Meeks, Forrest, Mamdani, Cruz, Taylor, Carroll, Shrestha, Rivera, Raga, Gibbs, Darling, Aubry, Pretlow, Gallagher, Ardila, Cunningham, Anderson, Burgos, Bores, Walker, Levenberg, Novakhov, Reyes, Septimo, De Los Santos, Solages, Jackson, Glick, Simone, Chandler-Waterman, Alvarez, Bronson, Clark, L. Rosenthal, Hevesi, Tapia, Mitaynes, Dickens, Zaccaro, Bichotte Hermelyn, Lee,

Lucas, Otis, Dilan. Concurrent Resolution of the Senate and Assembly proposing an amendment to Article 1 of the Constitution, in relation to the abolition of slavery for persons convicted of crimes.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03499-A, Calendar No. 93, Carroll, Stirpe, Reyes, Taylor, Dickens, DeStefano, Ramos, Milkulin, Sayegh, Smith, Williams, Cook, Seawright, Reilly, Miller, Rozic, Epstein, Cruz, Steck, Ra, Benedetto, Jacobson, Hyndman, Thiele, Lavine, Stern, Jones, Buttenschon, Braunstein, Fall, Paulin, L. Rosenthal, Wallace, Dilan, Aubry, Jean-Pierre, Darling, Walker, Anderson, Jackson, Raga. An act to amend the General Business Law and the Vehicle and Traffic Law, in relation to automobile broker businesses.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03703, Calendar No. 94, Epstein, Carroll, Colton, Dickens, Dilan, Glick, Hevesi, Kim, Peoples-Stokes, Pretlow, L. Rosenthal, Simon, Pheffer Amato, Seawright, Reyes, Eachus, Lee, Cunningham. An act to amend the Public Health Law, in relation to the closure of nursing homes.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03715-A, Calendar No. 95, Paulin, Otis, Fahy, Jacobson, McDonald. An act to amend the Not-for-Profit Corporation Law and the Public Authorities Law, in relation to the applicability of open meetings and freedom of information laws to certain not-for-profit corporations.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03769, Calendar No. 98, Pheffer Amato, Colton. An act to amend the Civil Service Law, in relation to the appointment and promotion of supervisors of the fire alarm dispatcher service.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03772, Calendar No. 99, Weinstein, Zebrowski, Seawright, Taylor, Dickens. An act to amend the Mental Hygiene Law, in relation to requiring petitioners for appointment of a guardian to identify other persons who may be able to manage the affairs of an incapacitated person.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A03798-A, Calendar No. 100, L. Rosenthal, Weprin. An act to amend the Public Health Law and the Education Law, in relation to authorizing emergency medical service personnel to provide basic first aid to cats and dogs under certain circumstances.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 365th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes for the purposes of a
introduction.

MRS. PEOPLES-STOKES: Thank you, Mr.
Speaker. At the very end of our, at least floor work today, we have
the pleasure of introducing some students who are up above us from
the Northern Schoolhouse of Orange County. They're from
Middletown, New York, and they're represented by our colleague
Assemblymember Gunther. Could you please offer them the
cordialities of the House and welcome them, please.

ACTING SPEAKER AUBRY: Certainly. On behalf
of Mrs. Peoples-Stokes, the Speaker and all the members, we
welcome you here to the New York State Assembly. We extend to
you the privileges of the floor. Thank you for joining us. Hope you
have had a great trip here to Albany. Thank you very much.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, do you
have any further housekeeping or resolutions?

ACTING SPEAKER AUBRY: We do have one
resolution here, Mrs. Peoples-Stokes, and we will take it up with one
vote, and I recommend all members to read this. It's an extraordinary
story in this resolution.

On the resolution, all those in favor signify by saying
aye; opposed, no. The resolution is adopted.

(Whereupon, Assembly Resolution No. 821 was unanimously approved.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, could you please recognize Mr. Jacobson for the purposes of an announcement?

ACTING SPEAKER AUBRY: Mr. Jacobson for the purposes of a announcement.

MR. JACOBSON: Well, it's that time again. We're going to have conference for the Majority right after Session in Hearing Room C.

ACTING SPEAKER AUBRY: Thank you, Mr. Jacobson.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: I now move that the Assembly stand adjourned until Thursday, February the 1st, tomorrow being a legislative day, and that we reconvene at 2:00 p.m., February the 5th, Monday being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 12:02 p.m., the Assembly stood adjourned until Thursday, February 1st, Thursday being a legislative day, and to reconvene on Monday, February 5th at 2:00 p.m., Monday being a Session day.)